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February 12, 2009

VIA ELECTRONIC FILING

Hon Anne K Quinlan
Acting Secretary
Surface Transportation Board
395 E Street, SW
Washington, DC 20423

re STB Docket No AB-33 (Sub-No 253X)
Union Pacific Railroad Company--Abandonment Exemption--
in Colorado and Wharton Counties, TX

Dear Secretary Quinlan

Please be advised that Union Pacific Railroad Company and The Metropolitan Transit Authority of Harris County, Texas, have reached an agreement for the trails use/rail banking of the right-of-way of the Chesterville Industrial Lead, the subject of the Board's Notice of Interim Trail Use or Abandonment, served March 24, 2008, and the agreement has been signed by the parties

Sincerely yours,

Fritz R Kahn

cc Dan Leis, Esq
Cassie B Stinson, Esq